IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE NO. 595 OF 2004

IN

SUMMARY SUIT NO. 2938 OF 1991

Sicom Limited .. Plaintiffs

Vs.

D.S. Agarwal & Ors. .. Defendants

Priyadarshan U. Shah for plaintiffs.

CORAM : S.U.KAMDAR, J.

DATE : 29th NOVEMBER, 2004.

P.C. By the present application leave is sought under Order 21 Rule 22 for renewal of the decree. Ex-parte decree is passed on 3.12.1996. The said notice is addressed to defendant nos. 3, 4 and 5. In so far as defendant nos. 4 and 5 are concerned, by an order dated 5.7.2004 the notice is made absolute against defendant nos. 4 an 5. Only defendant no. 3 is left out because service was not effected.

2. The plaintiffs have filed an affidavit of service dated 18/21-10-2004 effecting service on defendant no. 3 by publication. None appears inspite of service for defendant no. 3. In view

thereof, the notice is made absolute as against defendant no. 3.

3. There shall be no order as to costs.